

P246-99

G. R. S. IX-5]

Previous references.

L.R.
191 1897-98
(L.R.)

File No. 78.

Serial Nos. 167.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 167

May 1899 Part B for September 1899.

SUBJECT.

Appeal regarding the claim to the Pateli Rice
of Talahalli Village, Chikdallapur Taluk

Inserted
by

Countersigned
Mc

Before the Government of Mysore.

~~DR 2361~~

Appeal No. ~~86~~ of 97-98

~~L-R-78-97~~

Pellant.

Vs.

Respondent.

Venkataramana gonda

Hannantipanda

Subject

claim to the pateli of Talahalli Village.
Chikballapur TK.

Posted for hearing }
on 11th Sept '99 }

Submitted to 1st Comptroller.

12/11/99

about 1874
Patel of 1874

as not the
admission of the

the date of 24 1874

does not
belong to
Hannant

Mr. C. S. S. S. S. - 1857

L. Krishnaswami Sanyal - 1893

L. Madanji - 1894 & 1896.

10/10/99

12/11/99

Before the Government of Mysore.

7

Appeal No.

86

of

'97

Vol. XIV

98

Appellant.

Vs.

Respondent.

Veikata Ramana
pouda

Hannantaganda

11-9-99

w/o - 8 12th
11/9/98

12/9/98 -

Case called

Appt - present -

Pillepanda - Res/son son - present.

Dep't Govt's decision confirmed
& Appeal rejected - and
parties informed accordingly by
Court
12/9/98

822363
Vol. ~~XIV~~ 3
Office Note

Appeal - No. 56 of 1897 - 1898.

Appellant: - Venkateswara Ganda
Salanghali, Chikinda
pur Salak.

P. 13

1. On 14.12.1886 the apptt, Venkateswara Ganda, petitioned the Dy. Commr. of Kolar arguing that his father Anur Ganda was the Patil of Salanghali, that ^{when} he died about the year 1874, ~~when~~ the apptt being a minor one Hanumantha Ganda was appointed Patil by the late Dy. Commr. Mr. Krishna Sengar subject to the ~~the~~ condition that he should vacate the office in favor of the apptt on the latter attaining his majority, & that on a perusal of the proceedings of the late Chief Commr. and the Dewan he may be given the Patil office which was hereditary in his family, and that

that work may be taken from him.

2. This was forwarded to the Amildar of Chikballapur for enquiry as to who was the Patil of the above village, how long he had been in office, and what ~~had~~ right the petitioners had to the Patil's office.

3. During the Amildar's enquiry Annamanta Ganda the Patil of the village deposed as follows:-

"Twelve years ago I was appointed Patil of this village. Before that the Patil was in the name of ~~the~~ ~~the~~ Venkatramana Ganda's father Anur Ganda. He died about 20 or 24 years ago. As his sons Venkatramana & his elder brother Muniga were minors at the time the office was given to me. As regards the office being taken away from me and given to the petitioner, I pray that the Sirkar may be pleased not to disturb me."

Venkatramana Ganda deposed:-

"The Patil was in my father's name. After his death I was doing the work for 2 or 3 years after which it was conferred

829. 1. 87.

5
conferred on Hanumantha Gauda.
I then complained to the Dy.
Commissioner ^{and prayed} that the office should be
given to me. ^{In reply} I was told that it
would be given to me 4 or 5 years
afterwards. I have no records
with me. The records are in the
entcherry. Orders should be passed
of on perusal of the same".

8 13-4-87.
P 13

4. The Amildar in submitting
an a search being made
the records reported that there were
no such records as were alluded
by the petitioner and that the same
produced by Hanumantha Gauda did
not contain the condition mentioned
by the petitioner.

86.6.87.

P 14

5. In a subsequent reply the Amildar
stated that even the registers did not
make any mention of the matter.

P 14 + 15

6. At last the Dy. Commissioner gave an
endorsement to the petitioner that
there were no records in support of the
Petitioner's allegation that at the time of
Venkataramana Gauda's appointment

appointment it had been decided
that the Patel should be given to him
after the expiration of his and
his elder brother's minority and
that therefore his ~~own~~ statement
could not be accepted, nor the
officiator disturbed from ~~leave~~
to the office.

§ 5. 9. 87.

7. About the same time there
were some petitions^{*} from some
of the ryots of the village that
Hannamant Ganda was not doing
the duties properly, that he used
to give trouble to them, that he had
collected double the kulbaini amount
from some ryots and that therefore
he should be removed from office.
These were forwarded to the Amildar
for enquiry & report.

* Vide F. No. 6 & 3 § 2.1.87 & 4.3.87

8. It was found at the enquiry
that there were 2 factions in the village
and that the faction opposed to the
Patel had been complaining against
him; that there was no evidence in
support of the above allegations; that
the complaint was groundless; and
that none of ^{the} ryots stated they had
any trouble from the Patel. The

P 26

Matter was set at rest by the report
of the Amildar to the Dy. Commr.
on 21st May, 1871.

28

9 On 12-11-71 the Applicant
applied to the Dy. Commr. of Bihar
for copies of records of what had
taken place at the time of the
appointment of Haimanta
Ganda to the office.

35. 1. 92.

10 After correspondence with
the Amildar about these records
the Dy. Commr. gave an ^xndt to
the Petr. that no record had ^{been} made
about the matter in 1874.

P 8

11 On 31-3-93 the petitioner
applied to the Dy. Commr. for the
office being given to him. In
support of his claim he produced
a copy of ~~the~~ a petition alleged
to have been given by the Asst.
in 1874 to the then Deputy Commr.
which the latter agreed that he
~~would~~ hold the office till the
sons

P 10

kind copy of the ~~document~~
and judgment ~~passed~~ by
the ~~Appellate~~.

sons of Amr Ganda should

to become majors and that
after ^{the expiry of} that period he would
vacate the office in their favour.

This ^{was} ~~for~~ forwarded to the S.D. Office
for disposal.

12 After a report from the
Amildar of Chikballapur that
the original records relating
to the copy of the petition of
1874 produced by the petitioners
were not in the Taluk, that they
might be in the District office,
and that the matter had been
decided in 1887 by the Dy Commr's
order No 297 & 5. 9. 87 that Amr-
manta Ganda could not be disturbed.
the S.D.O. ordered that as the
matter had already been finally
decided no further orders could
be passed on the Petr's claim.

13 On appeal the Dy Commr
ordered

"There is no reference to show
that the office was in the name of
the ~~deceased~~ father ~~and~~ and that

At the foot of the copy there
is also a copy of the order of the Dy
that the deceased Petr's sons being
boys could not be given the office
and that the request in the
above petition should be carried
out.

§ 2-7-93.

8 46

Hamamanta Ganda was appointed on the condition that he should vacate the office after the expiration of the minority of Anur Ganda's sons. It is mentioned in the register that at the time ~~office~~ when the office was filled up Hamamanta Ganda was appointed ~~by~~ the consent of the villagers. The appeal is therefore rejected.

14 In the course of the inquiry it came to light that the copy produced by the appellant of the ^{altered} Petition of ~~the~~ Hamamanta Ganda given in 1874, was a forgery. The Appellant and another Harasimhaya, Dy Munsifi, Dy Commr's office, were charged with the offence of forgery and its abetment and

tried in Kolar Sessions cases
nos 3 & 4 of 1894-95, but
were acquitted for want of
sufficient evidence.

Vide copy of the Sessions
court judgment produced
by the Petr.

15- On 21-8-96 the Appellant
again petitioned the Dy Commr
on the strength of the copy of
the alleged petition of 1874 and
prayed that the office might
be given to him. Thereupon
the Dy Commr ordered that
the matter had been ~~already~~
decided, that he had been let
off by the Sessions Judge on
account of a doubt (benefit
of the doubt), that there was
no binding that the revenue
court should decide ~~anyway~~
against its ^{own} decision though
the contrary had been decided
in the Criminal Court, and
that he had no right to the
Pateli office and that he could

8/21-10-96.

lay
not claim ^{to it} ~~the office~~ on the
strength of the forged documents.
though he had been let off
it on the criminal side.

The Petitioner appeals to
Govt against this order.

Bbn
2/9/99.



10

1997

No.

Name of Petitioner: Teikaka-in

1573/4

Yusuf Chikmahaji Kandi

Tabuk. Chikhar-ghajjar.

District Alameda

Date of Arsi

Date of Receipt 12-7-97

Date of Disposal:

No. of Enclosure *See*.

ABSTRACT

The Petitioner appeals against
the order of the Deputy Comm.
Kilari District, dated 2nd Oct.
1876.

The order is as follows:—

"The matter relating to the Patent you refer to has been already decided. On the Revenue Court the beneficial term was given to you and you have been let off. It is not binding that the decision on the criminal side should be given effect to, although it is contrary to the decision on the revenue side. You have been acquitted of the offence of fabricating false documents for want of sufficient evidence. You have no right to claim the Patent on the ground

Petitioner states as follows:

The father of the Petitioner was also the Patei of Kalamaili, Chikhoi allapur Taluk, and he died twenty years back.

3. In 1874 one Hanumante Gowda submitted a petition (copy of which is enclosed) to the Deputy Comm (praying that he might be permitted to look after the Patei duties till the Petitioner attained his majority).

4. In 1887 the Petitioner claimed the Patei. He was informed that he was still a minor, and consequently he would not be put in charge of the office. The said Hanumante Gowda has also made a statement to the effect that he would vacate the post if required. (A copy of the statement is enclosed.).

5. When Petitioner made another attempt to obtain the office, Hanumante Gowda, thinking that he would have to vacate the post, brought a ~~false~~ complaint against him of having forged his petition.

6. Petitioner was tried and acquitted by the Sessions Court.

7. Petitioner then submitted a petition to the Deputy Comm claiming the office. He received the endorsement now appealed against.

Tagg
4/7/97

129 ✓ 2 (2) 17/7/77
L. R. 98

129 ✓ 2 (2) 17/7/77
L. R. 98

129 ✓ 2 (2) 17/7/77
L. R. 98

129 ✓ 2 (2) 17/7/77
L. R. 98

1878

2934 of 97 encl.

158 of 98. Refus put up.

Recd

26/8/98

4 subd

26/8/98

1) Stamp duty.

2) out of time by 6 months (in the first instance) - explained by pet as due to illness. Pet made again a delay of one year explaining the delay.

3) Appeal against order of com (miscellaneous) declaring to recognize the pet's claim to the patch of Kalanhalli, Chik ballapur taluk.

4) Council case

Subd & Rev (2-8-97)

31/8/95

Subd & Rev

2/9/95

2683

Subd & Rev

Handwritten notes and signatures at the bottom left, including dates like 8/9/95 and 10/9/95.

1098

3

No. 408

Name of Petitioner Venkataraman

Village - Kalanhalli

Taluk - Chik ballapur

District Kolar

Date of Arzi 17-8-98

Date of Receipt 17-8-98

Date of Disposal

No. of Enclosure

ABSTRACT

With reference to Indorsement no 12 of 30-7-98 issued by this office, the petitioner states, that he has not received any other endorsement except the one he has enclosed with his application & that there is any reference to such endorsement that reference may be called for by the Com to decide his case on its merits.

19/8/98

Ret
224

2080020792
12-7-98

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

(14)

L.R. 28-9
OFFICIAL MEMORANDUM

The accompanying Appeal Petition

Registered No. 3 dated 12-7-98
received at the Dewan's Office from

5 11 28 received on
12-7-98
dated 11-8-98

Ven. Katanama gauda of
Shalaballi in the Chitalia
-pur shi, appealing against the
order of the Dy. Commr., Kolar, of
declining to recognise the
claims of the party to the Patel
of Katanaballi in the chite
Kalkapur Dabala

is forwarded, together with its

enclosures to the Deputy Commissioner
of Kolar District
for submission of the entire proce
connected with the case.

2. The petition with its enclosures
should be returned.

By order,

2998

BANGALORE,

12/9/1898

Chief Secretary.

Rel. 4/1
100-78

Gen. 31.]

189

Pet-530 7/98 from
7561
Pet-444
VAN'S OFFICE
5

Recd
2/6. Ryz = put up.
OK

3/6/99

To Council Clerk
5/6/99

From Deputy Commissioner
Kolar District.

L.R. 28-9)

To
86 5
The Secretary to the
Government of Mysore.

Revenue and General Department

✓
Dated 31st May 1899

Despatched — 150 —

Received

General No. *4777*
No. *1036* ✓

Enclosure No. one file etc

His official Memorandum

No. *Pet*
224 dated 2^d September
1899 forwarding petitions
from Venkataramana Gonda
appealing against the order
of this office declining to
recognize the claims to the
Pattai of Kalanabaili in the
Banchavallapur Taluk and
calling for the submission of
the records in connection
with the case.

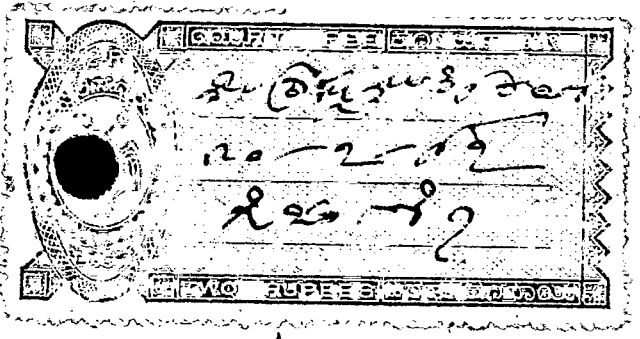
Has the honor to
submit herewith as per
accompanying Terist
Vernacular records as
called for in the above.

The petitions with their
enclosures are returned.

Att. Grady

Deputy Commissioner
Kolar District.

Roy
 To P. K. M. M. M.
 12/7/97
 (mistake)



Not to be
 delay in presenting the
 appeal (Relating to the
 (Dated 21/12/97)
 Redacted appeal - 21/12/97
 11/12/97

the government of Mysore

129

Bangalore
 MYSORE DEWAN'S OFFICE.
 REVENUE DEPARTMENT.
 REGD. NO. 129 R
 DATE 12-7-97

In & Stamp
 affixed
 12/7/97

The humble petitions
 of Venkataswara
 Gowda, Chikanahally
 Grandi Halli; Chikka-
 ballasappa Taluq; most
 respectfully;

Sheweth:—

That his father Anuraya-
 Gowda, who died about 20 years
 ago, during the infancy of the
 petitioners, was settled amongst
 the villages of Kalahally, at
 Chikkaballasappa.

2 That soon after the death
 of the petitioner's father Anuraya-
 Gowda, one Hanumanthagowda by a
 petition

petition, dated April 18th 4. a copy
of which is preserved herewith for
kind perusal, & requested the Deputy
Commissioner of Holar, to give him
the vacant post, and that time
the petitioner, came of age he would
be doing the duties for the petitioners

3 That in 1887, the petitioner requested
the petitioner, to give him his father's
place, and he was told that he had
not yet attained his age, he would
not then be given the place and
then the matter was dropped. And
that in the course of the enquiry,
the said Hanoomanthagowda again
made a statement to the effect that
he would vacate the office, if required,
a copy of which, is also now preserved.

4 That upon another attempt made
by the pet. for the office, the said
Hanoomanthagowda - fearing that
he would have to vacate the office,
maliciously complained against
him

him, at the gorge of his prison
and that he (Pet.) should be —
punished for it.

That upon this the petition
was tried and acquitted by the
Sessions Court. A copy of the
judgment of the latter Court is
herewith produced — the kind —
perusal.

6 That after this, the petition
moved the Deputy Commissioners of
revenue, to give him his place, to
which the Deputy Commissioners gave
the endorsement now produced,
saying to give him the place.

7 That the persons respectfully
submit, that the Deputy Commissioners
was wrong in rejecting his claim.

Your petitioners therefore
most respectfully begs that
the Hon. Government may
be pleased to give him the
possession of

20

of Kalamahai of Chikha-
-ballapom Salag?

And your position - shall ever stay?

At 1 x 2 3 4 5 6 7 8 9 10
5 6 7 8 9 10

in bundle
To Petitioner
17/8/98
4081

L.

The Government of Mysore
Bangalore

The humble petition of

Venkatarama Sada Thalachay
Handy Hovei Chika Ballappa
Parr, Mook Hyderabad Chittoor -

MYSCORE DEWAN'S OFFICE
PETITION DEPARTMENT
REGD. NO. 4081
DATE 17-8-98

I am in reply to your
Excellency's Indorsement.

No. 12 of 30th July 98 - your
petitioner has submitted
to solicit that he has to
decide any the Indorsement
except the one he has
enclosed with his
application to your
Excellency. So your
petitioner is not in position
to produce the reference
mentioned in the above
named Indorsement

If there is any such
reference, your petition
needs to submit this your
petition may be passed
to call for the same, and
decide with merits

The Honourable
Respected Sir
Your Most Obedt. Servant
of the Honour of
Mankabaramam Goda

5/17-8
Mankabaramam

L.R. 78-97

Procs of the Court of all persons

Appellant
Kankatamangonda H
Respondent
Kankatamangonda H

Read: -

Petition of appeal No. 129 of 1897-98 presented by Kankatamangonda of Dalaballi village & Kalaballapuram Taluk, against the order of the District Collector, rejecting the appellants claim to the Patta of the above village.

(2) The records received in the District No. 4777 of 31-5-99 from the District Collector.

The facts of the case are briefly as follows: -

In Decr 1886 the appellant claimed the Patta of Dalaballi village on the ground that, prior to 1874, his father, Amrionda was the Patta of the village and that, on the death of the latter about the year 1874, the Regt was appointed to the in condition of his giving it up in favor of the appellant and his brother on their attaining majority.

Draft for appeal
Subd to 1st Criminal

20/9/99

12195

all

21. 9. 99

Subd to Rev. C. S. D.

21/9/99

R.P. 70th.
21/9/99.
233

23-9-99

22/9/99

28/9/99

After holding an enquiry,
the Dy. Commr. rejected the claim
on the ground that there was
nothing on record to prove
the app^t's allegation.

(2) On 31-3-73 Venkataswamy Gonda
renewed his claim and, in
support thereof, produced what
purported to be an authenticated
copy of the order of the Dy. Commr.
dated 3rd April 1874, No 1131,
passing orders on a petition
from the Respondent ^{and} appointing
him to the vacant Paboli office
on condition of his relinquishing
it whenever required by the
Cms of Amur Gonda. The
Sub-Div. Officer of Chitavalapur
declined to pass further orders
on the subject as it had been
already disposed of. On appeal
the Dy. Commr. confirmed the
above order on the ground
that there was nothing on
record to show that the office
had ever been held by Amur
Gonda and that the Res^t's
appointment was conditional.

con. tional

(3) As the original record corresponding to the copy produced by the appellant was not found in the Dy. Commr's office, one Narasimha Dy. Munsif of the Dy. Commr's office and the app't were respectively charged with forgery and abetment to the effect ^{committed by the appellant (not intent)} and ~~but by the appellant~~ but were acquitted for want of sufficient evidence to show ~~that the copy was a forged one~~.

(4) On 2nd August 1886, the app't urged that as the copy of the order suspected to have been forged had been proved to be a genuine one in the Sessions Court, his claims to the patali office should be reconsidered. The Dy. Commr. declined to review his previous order as, in his opinion, the mere acquittal ^{of appellant, who was given} ~~off the case~~ ^{the benefit of the doubt intended to the Sessions Court} did not prove that the document, ^{relied upon} was a genuine one or that app't had a right to the Patali office. Order

Order No. $\frac{2587}{0.5.46-99}$ 2/20/27

The Govt sees no sufficient reason to interfere with the order appealed against which is hereby affirmed, and the appeal is rejected.

C, & R.C.D.

Secretary

20 2/99

Shree Jinnu Kolar & Co.
Kolar District

+ 90-3701000 2-505 200 3000
24. 11. 97
27-9-99

LR 78-97
827

ಕಾ ಲಗ್ನಾಂತರ ಪಕ್ಷಾಂತ ಕಾಳ
 ಕೃಷ್ಣ ಶಾಂತವಾತವೇ ಅಕ್ಷಾಂತವೇ
 ವೇದ ಅಕ್ಷಾಂತವಾಗುವೆ ಎಂತ ತಿಳಿದು
 ಕೂಡಾ ಕಾಳಾಂತವು ಮೇಲೆ ಅಕ್ಷಾಂತವಾಗಿ
 ಸುಪ್ರಸಂಗಾಂತವೇ ಹೃ 12-7. 98
 ವಸ್ತು 17. 8. 98 ವೇದಾಂತವೇ ಅಕ್ಷಾಂತ
 ವೇದಾಂತವೇ ಅಕ್ಷಾಂತವಾಗಿ ಹೃ 12-7. 98
 ವೇದಾಂತವೇ ಅಕ್ಷಾಂತವಾಗಿ ಹೃ 12-7. 98
 ವೇದಾಂತವೇ ಅಕ್ಷಾಂತವಾಗಿ ಹೃ 12-7. 98

Draft
Don

23/5.

23/9. Fortescue & Co. Ltd. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. By Order